

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: **Art Unit:** **Docket No.: 2017**

In RE: **U. S. National Stage Application**
 of C. Pasquier, et al

Ser. No.: **Crsp. To PCT/EP 01/07497**

Filed: **Simultaneously**

March 26, 2002

SIMULTANEOUS AMENDMENT

Hon. Commissioner of Patents
and Trademarks,
Washington, D.C. 20231

Sir:

Simultaneously with entry into the U.S. National Stage of the above-identified PCT International Application, please make the following changes and consider the following REMARKS:

209220 032600F

In the Specification:

Page 1, between line 3 (beginning "Dye" in the title) and line 4 (beginning "The present.."), please insert the heading: BACKGROUND OF THE INVENTION

Page 1, between line 20 and 21 (between the third and fourth full paragraph of text), please insert the heading: SUMMARY OF THE INVENTION

Page 2, between lines 14 and 15, please insert the heading:

DESCRIPTION OF THE PREFERRED EMBODIMENTS

In the Claims:

Please cancel original claims 1 and 7 without prejudice and replace the original claims 2 to 6 and 9 to 13 with the following amended claims:

2(amended). Cosmetic preparation according to claim 8, wherein Q denotes methyl, ethyl, phenyl, biphenyl, C₆H₄R₃, C₆H₃R₃R₄ or C₆H₂R₃R₄R₅, wherein R₃, R₄ and R₅ are equal or different and, independently of each other, stand for F, Cl, Br, I, CN, NO₂, CF₃, (C₁-C₄)-alkyl, (C₁-C₄)-alkoxy, monohydroxy-(C₁-C₄)-alkyl, polyhydroxy-(C₂-C₄)-alkyl, mono-(C₁-C₄)-alkoxy-(C₁-C₄)-alkyl, (C₁-C₄)-alkylthio, hydroxy, NR^dR^e, CHO, COR^f, COOH, COOR^g, CONHR^h or NHCORⁱ, wherein R^d and R^e, independently of each other, denote hydrogen, a (C₁-C₄)-alkyl group, a monohydroxy(C₁-C₄)-alkyl group, a polyhydroxy-(C₂-C₄)-alkyl group or an optionally substituted aromatic carbon ring, and R^f, R^g, R^h and Rⁱ, independently of each other, denote a (C₁-C₄)-alkyl group or an optionally substituted aromatic carbon ring.

3(amended). Cosmetic preparation according to claim 8, wherein X denotes oxygen or NR^a , with R^a denoting hydrogen, a $(\text{C}_1\text{-C}_4)$ -alkyl group, a mono-hydroxy- $(\text{C}_1\text{-C}_4)$ -alkyl group, a polyhydroxy- $(\text{C}_2\text{-C}_4)$ -alkyl group or a mono- $(\text{C}_1\text{-C}_4)$ -alkoxy- $(\text{C}_1\text{-C}_4)$ -alkyl group;

R1 = R2 = hydrogen; **Q** stands for methyl, ethyl, phenyl, biphenyl, $\text{C}_6\text{H}_4\text{R}_3$, $\text{C}_6\text{H}_3\text{R}_3\text{R}_4$ or $\text{C}_6\text{H}_2\text{R}_3\text{R}_4\text{R}_5$, wherein R_3 , R_4 and R_5 are equal or different and, independently of each other, stand for F, Cl, Br, I, CN, NO_2 , CF_3 , $(\text{C}_1\text{-C}_4)$ -alkyl, $(\text{C}_1\text{-C}_4)$ -alkoxy, monohydroxy- $(\text{C}_1\text{-C}_4)$ -alkyl, polyhydroxy- $(\text{C}_2\text{-C}_4)$ -alkyl, mono- $(\text{C}_1\text{-C}_4)$ -alkoxy- $(\text{C}_1\text{-C}_4)$ -alkyl, $(\text{C}_1\text{-C}_4)$ -alkylthio, hydroxy, NR^dR^e , CHO, COR^f , COOH, COOR^g , CONHR^h or NHCOR^i , wherein R^d and R^e , independently of each other, denote hydrogen, a $(\text{C}_1\text{-C}_4)$ -alkyl group, a monohydroxy- $(\text{C}_1\text{-C}_4)$ -alkyl group, a polyhydroxy- $(\text{C}_2\text{-C}_4)$ -alkyl group or an optionally substituted aromatic carbon ring, and R^f , R^g , R^h and R^i , independently of each other, denote a $(\text{C}_1\text{-C}_4)$ -alkyl group or an optionally substituted aromatic carbon ring.

4(amended). Cosmetic preparation according to claim 8, wherein said at least one derivative of general formula (I) is selected from the group consisting of 4-amino-7-nitro-2,1,3-benzoxadiazole; 4-N,N-dimethylamino-7-nitro-2,1,3-benzoxadiazole; 4-nitro-7-methoxy-2,1,3-benzoxadiazole; 4-nitro-7-ethoxy-2,1,3-benzoxadiazole; 4-nitro-7-phenoxy-2,1,3-benzoxadiazole; 4-nitro-7-(4'-nitrophenoxy)-2,1,3-benzoxadiazole; 4-nitro-7-(2',4',6'-trimethylphenoxy)-2,1,3-benzoxadiazole; 7-nitro-4-(N-phenylamino)-2,1,3-benzoxadiazole;

4-[N-(1-naphthalenyl)amino]-7-nitro-2,1,3-benzoxadiazole; 4-[N-(4'-chloro-phenyl)amino]-7-nitro-2,1,3-benzoxadiazole; 4-[N-(4'-fluorophenyl)-amino]-7-nitro-2,1,3-benzoxadiazole; 7-nitro-4-[N-(4'-nitrophenyl)amino]-2,1,3-benzoxadiazole; 7-nitro-4-[N-(3'-nitro-phenyl)-amino]-2,1,3-benzoxadiazole; 4-[N-(2',4'-dinitrophenyl)amino]-7-nitro-2,1,3-benzoxadiazole; 4-[(7-nitro-2,1,3-benzoxadiazol-4-yl)amino]benzonitrile; 4-[N-(4'-methylphenyl)amino]-7-nitro-2,1,3-benzoxadiazole; 4-[N-(2'-methyl-phenyl)amino]-7-nitro-2,1,3-benzoxadiazole; 4-[N-(4'-methoxyphenyl)amino]-7-nitro-2,1,3-benzoxadiazole; 4-[(7-nitro-2,1,3-benzoxadiazol-4-yl)amino]phenol; 4-[(7-nitro-2,1,3-benzoxadiazol-4-yl)amino]-3-chloro-5-nitrophenol; 3-[(7-nitro-2,1,3-benzoxadiazol-4-yl)amino]phenol; 2-[(7-nitro-2,1,3-benzoxadiazol-4-yl)-amino]phenol; N-(7-nitro-2,1,3-benzoxadiazol-4-yl)-1,4-diaminobenzene; N,N-dimethyl-N'-(7-nitro-2,1,3-benzoxadiazol-4-yl)-1,4-diaminobenzene; N-(7-nitro-2,1,3-benzoxadiazol-4-yl)-2-(2'-hydroxyethyl)-1,4-diaminobenzene; N-(7-nitro-2,1,3-benzoxadiazol-4-yl)-2-(1'-hydroxyethyl)-1,4-diaminobenzene; N-(7-nitro-2,1,3-benzoxadiazol-4-yl)-2-methoxymethyl-1,4-diaminobenzene; N,N-di-(2'-hydroxyethyl)-N'-(7-nitro-2,1,3-benzoxadiazol-4-yl)-2-nitro-1,4-diaminobenzene; methyl 4-[(7-nitro-2,1,3-benzoxadiazol-4-yl)amino]-benzoate; 4-nitro-7-(phenylthio)-2,1,3-benzoxadiazole; 4-[(4'-chlorophenyl)thio]-7-nitro-2,1,3-benzoxadiazole; 4-[(3'-chlorophenyl)thiol-7-nitro-2,1,3-benzoxadiazole; 4-[(4'-bromo-phenyl)thiol-7-nitro-2,1,3-benzoxadiazole;

4-[(4'-methylphenyl)thio]-7-nitro-2,1,3-benzoxadiazole; 4-[(3'-methoxyphenyl)-thio]-7-nitro-2,1,3-benzoxadiazole; 4-nitro-7-[(4'-nitrophenyl)thiol]-2,1,3-benzoxadiazole; 2-[(7-nitro-2,1,3-benzoxadiazol-4-yl)thio]benzoic acid; 5,7-dinitro-N-phenyl-4-amino-2,1,3-benzoxadiazole; 4-[N-[1,1'-biphenyl)-4-yl]amino]-5,7-dinitro-2,1,3-benzoxadiazole; 4-[N-(4'-chloro-phenyl)amino]-5,7-dinitro-2,1,3-benzoxadiazole; 4-[N-(4'-bromophenyl)-amino]-5,7-dinitro-2,1,3-benzoxadiazole; 4-[N-(3'-bromophenyl)amino]-5,7-dinitro-2,1,3-benzoxadiazole; 5,7-dinitro-4-[N-(4'-nitrophenyl)amino]-2,1,3-benzoxadiazole; 5,7-dinitro-4-[N-(3'-nitro-phenyl)amino]-2,1,3-benzoxadiazole; 4-[N-(4'-methoxyphenyl)-amino]-5,7-dinitro-2,1,3-benzoxadiazole; 4-[N-(4'-methylphenyl)amino]-5,7-dinitro-2,1,3-benzoxadiazole; N'-(5,7-dinitro-2,1,3-benzoxadiazol-4-yl)-N,N-dimethyl-1,4-diaminobenzene; 3-[(5,7-dinitro-2,1,3-benzoxadiazol-4-yl)amino]phenol; 4-(N-methyl-N-phenylamino)-7-nitro-2,1,3-benzoxadiazole; 4-(N-ethyl-N-phenylamino)-7-nitro-2,1,3-benzoxadiazole and 4-[N-(2'-hydroxyethyl)-N-[4-di-(2'-hydroxyethyl)-2-nitrophenylamino]-7-nitro-2,1,3-benzoxadiazole.

5(amended). Cosmetic preparation according to claim 8, wherein said at least one derivative of general formula (I) is selected from the group consisting of 4-nitro-7-methoxy-2,1,3-benzoxadiazole; 4-nitro-7-ethoxy-2,1,3-benzoxadiazole; 4-nitro-7-phenoxy-2,1,3-benzoxadiazole; 7-nitro-4-(N-phenylamino)-2,1,3-benzoxadiazole; 4-[N-(4'-methylphenyl)aminol]-7-nitro-2,1,3-benzoxadiazole;

4-[N-(4'-methoxyphenyl)-amino]-7-nitro-2,1,3-benzoxadiazole; 4-[(7-nitro-2,1,3-benzoxadiazol-4-yl)-amino]phenol; 3-[(7-nitro-2,1,3-benzoxadiazol-4-yl)-amino]phenol; 2-[(7-nitro-2,1,3-benzoxadiazol-4-yl)amino]phenol; 4-[(7-nitro-2,1,3-benzoxadiazol-4-yl)amino]-3-chloro-5-nitrophenol; N-(7-nitro-2,1,3-benzoxadiazol-4-yl)-1,4-diaminobenzene; N-(7-nitro-2,1,3-benzoxadiazol-4-yl)-2-(2'-hydroxyethyl)-1,4-diaminobenzene; N-(7-nitro-2,1,3-benzoxadiazol-4-yl)-2-(1'-hydroxyethyl)-1,4-diaminobenzene; N-(7-nitro-2,1,3-benzoxadiazol-4-yl)-2-(methoxymethyl)-1,4-diaminobenzene; N,N-dimethyl-N'-(7-nitro-2,1,3-benzoxadiazol-4-yl)-1,4-diamino-benzene; N,N-di-(2'-hydroxyethyl)-N'-(7-nitro-2,1,3-benzoxadiazol-4-yl)-2-nitro-1,4-diaminobenzene and 4-[N-(2'-hydroxyethyl)-N-[4-di-(2'-hydroxy-ethyl)-2-nitrophenylamino]-7-nitro-2,1,3-benzoxadiazole.

6(amended). Cosmetic preparation according to claim 8, and containing said at least one 4-nitro-2,1,3-benzoxadiazole derivative of general formula (I) in an amount from 0.01 to 10 wt. %.

9(amended). Cosmetic preparation according to claim 8, further comprising at least one direct dye compound selected from the group consisting of anionic dyes, cationic dyes, nitro dyes, azo dyes, anthraquinone dyes, triphenylmethane dyes and disperse dyes.

10(amended). Cosmetic preparation according to claim 8 or 9, in the form of a shade fixative or color fixative and further comprising at least one natural or synthetic polymer or at least one modified polymer of natural origin.

11(amended). Cosmetic preparation according to one of claims 8 to 10, further comprising an oxidation dye precursor.

12(amended). Cosmetic preparation according to one of claims 8 to 11, further comprising an oxidant mixed with said at least one 4-nitro-2,1,3-benzoxadiazole derivative.

13(amended). Cosmetic preparation according to one of claims 8 to 12, consisting of a hair colorant composition.

REMARKS

This is a simultaneous amendment of the English translation of U.S. National Stage application corresponding to International Patent Application PCT/EP 01/07497.

Claims 1 and 7 have been canceled and "use" claims 2 to 6, which are non-statutory in U.S. Practice, have been amended so that they now depend on cosmetic preparation claim 8 and are dependent preparation claims. Also dependent preparation claims 9 to 13 have been amended. Minor changes in

claim wording have been made to put the claims in a form that conforms to U.S. Patent Office Rules.

The specification was amended to provide current standard section headings recommended in U.S. Patent Office Rules.

APPENDIX SHOWING CHANGES MADE TO OBTAIN THE AMENDED CLAIMS

Underlining shows additions; brackets show deletions

In the Claims:

The following changes were made in claims 2 to 6 and 9 to 13:

2(amended). [Use] Cosmetic preparation according to [Claim 1, characterized in that in formula (I):] claim 8, wherein Q denotes methyl, ethyl, phenyl, biphenyl, C₆H₄R₃, C₆H₃R₃R₄ or C₆H₂R₃R₄R₅, wherein R₃, R₄ and R₅ are equal or different and, independently of each other, stand for F, Cl, Br, I, CN, NO₂, CF₃, (C₁-C₄)-alkyl, (C₁-C₄)-alkoxy, monohydroxy-(C₁-C₄)-alkyl, polyhydroxy-(C₂-C₄)-alkyl, mono-(C₁-C₄)-alkoxy-(C₁-C₄)-alkyl, (C₁-C₄)-alkylthio, hydroxy, NR^dR^e, CHO, COR^f, COOH, COOR^g, CONHR^h or NHCORⁱ, wherein R^d and R^e, independently of each other, denote hydrogen, a (C₁-C₄)-alkyl group, a monohydroxy(C₁-C₄)-alkyl group, a polyhydroxy-(C₂-C₄)-alkyl group or an optionally substituted aromatic carbon ring, and R^f, R^g, R^h and Rⁱ, independently of each other, denote a (C₁-C₄)-alkyl group or an optionally substituted aromatic carbon ring.

3(amended). Cosmetic preparation [Use] according to [Claim 1 or 2, characterized in that in formula (I)] claim 8, wherein X denotes oxygen or NR^a, with R^a denoting hydrogen, a (C₁-C₄)-alkyl group, a monohydroxy-(C₁-C₄)-alkyl group, a polyhydroxy-(C₂-C₄)-alkyl group or a mono-(C₁-C₄)-alkoxy-(C₁-C₄)-alkyl group;

R1 = R2 = hydrogen; **Q** stands for methyl, ethyl, phenyl, biphenyl, C₆H₄R₃, C₆H₃R₃R₄ or C₆H₂R₃R₄R₅, wherein R₃, R₄ and R₅ are equal or different and, independently of each other, stand for F, Cl, Br, I, CN, NO₂, CF₃, (C₁ - C₄)-alkyl, (C₁-C₄)-alkoxy, monohydroxy-(C₁-C₄)-alkyl, polyhydroxy-(C₂-C₄)-alkyl, mono-(C₁-C₄)-alkoxy-(C₁-C₄)-alkyl, (C₁-C₄)-alkylthio, hydroxy, NR^dR^e, CHO, COR^f, COOH, COOR^g, CONHR^h or NHCORⁱ, wherein R^d and R^e, independently of each other, denote hydrogen, a (C₁-C₄)-alkyl group, a monohydroxy-(C₁-C₄)-alkyl group, a polyhydroxy-(C₂-C₄)-alkyl group or an optionally substituted aromatic carbon ring, and R^f, R^g, R^h and Rⁱ, independently of each other, denote a (C₁-C₄)-alkyl group or an optionally substituted aromatic carbon ring.

4(amended). [Use] Cosmetic preparation according to [one of Claims 1 to 3, characterized in that the compound] claim 8, wherein said at least one derivative of general formula (I) is selected from [among] the group consisting of 4-amino-7-nitro-2,1,3-benzoxadiazole; 4-N,N-dimethylamino-7-nitro-2,1,3-benzoxadiazole; 4-nitro-7-methoxy-2,1,3-benzoxadiazole; 4-nitro-7-ethoxy-2,1,3-benzoxadiazole; 4-nitro-7-phenoxy-2,1,3-benzoxadiazole; 4-nitro-7-(4'-nitrophenoxy)-2,1,3-

benzoxadiazole; 4-nitro-7-(2',4',6'-trimethylphenoxy)-2,1,3-benzoxadiazole; 7-nitro-4-(N-phenylamino)-2,1,3-benzoxadiazole; 4-[N-(1-naphthalenyl)amino]-7-nitro-2,1,3-benzoxadiazole; 4-[N-(4'-chlorophenyl)amino]-7-nitro-2,1,3-benzoxadiazole; 4-[N-(4'-fluorophenyl)-amino]-7-nitro-2,1,3-benzoxadiazole; 7-nitro-4-[N-(4'-nitrophenyl)amino]-2,1,3-benzoxadiazole; 7-nitro-4-[N-(3'-nitrophenyl)-amino]-2,1,3-benzoxadiazole; 4-[N-(2',4'-dinitrophenyl)amino]-7-nitro-2,1,3-benzoxadiazole; 4-[(7-nitro-2,1,3-benzoxadiazol-4-yl)amino]-benzonitrile; 4-[N-(4'-methylphenyl)amino]-7-nitro-2,1,3-benzoxadiazole; 4-[N-(2'-methylphenyl)amino]-7-nitro-2,1,3-benzoxadiazole; 4-[N-(4'-methoxyphenyl)amino]-7-nitro-2,1,3-benzoxadiazole; 4-[(7-nitro-2,1,3-benzoxadiazol-4-yl)amino]phenol; 4-[(7-nitro-2,1,3-benzoxadiazol-4-yl)amino]-3-chloro-5-nitrophenol; 3-[(7-nitro-2,1,3-benzoxadiazol-4-yl)amino]phenol; 2-[(7-nitro-2,1,3-benzoxadiazol-4-yl)amino]phenol; N-(7-nitro-2,1,3-benzoxadiazol-4-yl)-1,4-diaminobenzene; N,N-dimethyl-N'-(7-nitro-2,1,3-benzoxadiazol-4-yl)-1,4-diaminobenzene; N-(7-nitro-2,1,3-benzoxadiazol-4-yl)-2-(2'-hydroxyethyl)-1,4-diaminobenzene; N-(7-nitro-2,1,3-benzoxadiazol-4-yl)-2-(1'-hydroxyethyl)-1,4-diaminobenzene; N-(7-nitro-2,1,3-benzoxadiazol-4-yl)-2-methoxymethyl-1,4-diaminobenzene; N,N-di-(2'-hydroxyethyl)-N'-(7-nitro-2,1,3-benzoxadiazol-4-yl)-2-nitro-1,4-diaminobenzene; methyl 4-[(7-nitro-2,1,3-benzoxadiazol-4-yl)amino]benzoate; 4-nitro-7-(phenylthio)-2,1,3-benzoxadiazole; 4-[(4'-chlorophenyl)thio]-7-nitro-2,1,3-benzoxadiazole; 4-[(3'-chlorophenyl)thiol-7-nitro-2,1,3-benzoxadiazole; 4-[(4'-bromo-phenyl)thiol-7-nitro-2,1,3-benzoxadiazole; 4-[(4'-methylphenyl)thio]-7-nitro-2,1,3-benzoxadiazole; 4-[(3'-methoxyphenyl)thio]-7-

nitro-2,1,3-benzoxadiazole; 4-nitro-7-[(4'-nitrophenyl)thiol-2,1,3-benzoxadiazole; 2-[(7-nitro-2,1,3-benzoxadiazol-4-yl)thio]benzoic acid; 5,7-dinitro-N-phenyl-4-amino-2,1,3-benzoxadiazole; 4-[N-[1,1'-biphenyl)-4-yl]amino]-5,7-dinitro-2,1,3-benzoxadiazole; 4-[N-(4'-chloro-phenyl)amino]-5,7-dinitro-2,1,3-benzoxadiazole; 4-[N-(4'-bromophenyl)-amino]-5,7-dinitro-2,1,3-benzoxadiazole; 4-[N-(3'-bromophenyl)amino]-5,7-dinitro-2,1,3-benzoxadiazole; 5,7-dinitro-4-[N-(4'-nitrophenyl)-amino]-2,1,3-benzoxadiazole; 5,7-dinitro-4-[N-(3'-nitro-phenyl)amino]-2,1,3-benzoxadiazole; 4-[N-(4'-methoxy-phenyl)amino]-5,7-dinitro-2,1,3-benzoxadiazole; 4-[N-(4'-methylphenyl)amino]-5,7-dinitro-2,1,3-benzoxadiazole; N'-(5,7-dinitro-2,1,3-benzoxadiazol-4-yl)-N,N-dimethyl-1,4-diaminobenzene; 3-[(5,7-dinitro-2,1,3-benzoxadiazol-4-yl)amino]phenol; 4-(N-methyl-N-phenyl-amino)-7-nitro-2,1,3-benzoxadiazole; [or] 4-(N-ethyl-N-phenylamino-7-nitro-2,1,3-benzoxadiazole and 4-[N-(2'-hydroxy-ethyl)-N-[4-di-(2'-hydroxyethyl)-2-nitro-phenylamino]-7-nitro-2,1,3-benzoxadiazole.

5(amended). [Use] Cosmetic preparation according to [Claim 4, characterized in that the compound] claim 8, wherein said at least one derivative of general formula (I) is selected from [among] the group consisting of 4-nitro-7-methoxy-2,1,3-benzoxadiazole; 4-nitro-7-ethoxy-2,1,3-benzoxadiazole; 4-nitro-7-phenoxy-2,1,3-benzoxadiazole; 7-nitro-4-(N-phenylamino)-2,1,3-benzoxadiazole; 4-[N-(4'-methylphenyl)aminol-7-nitro-2,1,3-benzoxadiazole; 4-[N-(4'-methoxyphenyl)-amino]-7-nitro-2,1,3-benzoxadiazole; 4-[(7-nitro-2,1,3-benzoxadiazol-4-yl)-

amino]phenol; 3-[(7-nitro-2,1,3-benzoxadiazol-4-yl)amino]phenol; 2-[(7-nitro-2,1,3-benzoxadiazol-4-yl)amino]phenol; 4-[(7-nitro-2,1,3-benzoxadiazol-4-yl)amino]-3-chloro-5-nitrophenol; N-(7-nitro-2,1,3-benzoxadiazol-4-yl)-1,4-diaminobenzene; N-(7-nitro-2,1,3-benzoxadiazol-4-yl)-2-(2'-hydroxyethyl)-1,4-diaminobenzene; N-(7-nitro-2,1,3-benzoxadiazol-4-yl)-2-(1'-hydroxyethyl)-1,4-diaminobenzene; N-(7-nitro-2,1,3-benzoxadiazol-4-yl)-2-(methoxymethyl)-1,4-diaminobenzene; N,N-dimethyl-N'-(7-nitro-2,1,3-benzoxadiazol-4-yl)-1,4-diaminobenzene; N,N-di-(2'-hydroxyethyl)-N'-(7-nitro-2,1,3-benzoxadiazol-4-yl)-2-nitro-1,4-diaminobenzene and 4-[N-(2'-hydroxyethyl)-N-[4-di-(2'-hydroxyethyl)-2-nitrophenylamino]-7-nitro-2,1,3-benzoxadiazole.

6(amended). [Use] Cosmetic preparation according to [one of Claims 1 to 5, characterized in that in the colorant employed the compound] claim 8, and containing said at least one 4-nitro-2,1,3-benzoxadiazole derivative of general formula (I) [is used] in an amount from 0.01 to 10 wt. %.

9(amended). Cosmetic preparation according to [Claim] claim 8, [characterized in that it contains additionally] further comprising at least one [known] direct dye compound selected from the group consisting of anionic dyes, [or] cationic dyes, nitro dyes, azo dyes, anthraquinone dyes, triphenylmethane dyes [or] and disperse dyes.

10(amended). Cosmetic preparation according to [Claim] claim 8 or 9,
[characterized in that it additionally contains] in the form of a shade fixative or
color fixative and further comprising at least one natural or synthetic polymer or
at least one modified polymer of natural origin [commonly used in cosmetics and
that it is in the form of a shade fixative or color fixative].

11(amended). Cosmetic preparation according to one of [Claims] claims 8 to 10,
[characterized in that it additionally contains] further comprising an oxidation dye
precursor.

12(amended). Cosmetic preparation according to one of [Claims] claims 8 to 11,
[characterized in that it is mixed with] further comprising an oxidant [before use]
mixed with said at least one 4-nitro-2,1,3-benzoxadiazole derivative.

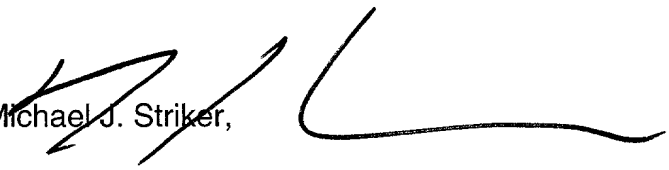
13(amended). Cosmetic preparation according to one of [Claims] claims 8 to 12,
[characterized in that it is a hair colorant] consisting of a hair colorant
composition.

Should the Examiner require or consider it advisable that the specification,
claims and/or drawing be further amended or corrected in formal respects to put
this case in condition for final allowance, then it is requested that such
amendments or corrections be carried out by Examiner's Amendment and the
case passed to issue. Any costs involved should be charged to the deposit

account of the undersigned (No. 19-4675). Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing the case to allowance, he or she is invited to telephone the undersigned at 1-631-549 4700.

In view of the foregoing, favorable allowance is respectfully solicited.

Respectfully submitted,


Michael J. Striker,

Attorney for the Applicants

Reg. No. 27,233